



6378 | Sequence Listing

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/812,283
Filing Date	March 19, 2001
First Named Inventor	Fischer
Art Unit	1638
Examiner Name	Ashwin D. Mehta
Attorney Docket Number	02307O-086121US

Total Number of Pages in This Submission

RECEIVED
MAY 2 2003
TECH CENTER 1800-2800

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

Return Postcard

Letter to Official Draftsperson

Seq. Listing on paper

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual

Townsend and Townsend and Crew LLP

Matthew E. Hirsch

Reg. No. 47,651

Signature

Date

May 15, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Joy M. Marshall

Signature

Joy M. Marshall

Date

May 15, 2003

PTO/SB/17 (05-03)
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 May 20 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 18

Complete If Known

Application Number 09/812,283
 Filing Date March 19, 2001
 First Named Inventor Fischer
 Examiner Name Ashwin D. Mehta
 Art Unit 1638
 Attorney Docket No. 023070-086121US

RECEIVED
 May 2 2003
 TECH CENTER 1002300

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None

☒ Deposit Account:

Deposit
 Account
 Number

20-1430

Deposit
 Account
 Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1001	2001	750	375	Utility filing fee
1002	2002	330	165	Design filing fee
1003	2003	520	260	Plant filing fee
1004	2004	750	375	Reissue filing fee
1005	2005	160	80	Provisional filing fee

Fee Paid

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fees from below	Fee Paid
24	22** = 2	X\$0	\$18
Independent Claims	3	-3** = 0	X\$42 = \$0
Multiple Dependent		X	

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	84	42	Independent claims in excess of 3
1203	2203	280	140	Multiple dependent claim, if not paid
1204	2204	84	42	** Reissue independent claims over original patent
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$18)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large	Entity	Small	Entity	Fee Description
1051	2051	130	65	Surcharge - late filing fee or oath
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet
1053	2053	130	65	Non-English specification
1812	2520	1812	2520	For filing a request for reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action
1251	2251	110	55	Extension for reply within first month
1252	2252	410	205	Extension for reply within second month
1253	2253	830	465	Extension for reply within third month
1254	2254	1,450	725	Extension for reply within fourth month
1255	2255	1,970	985	Extension for reply within fifth month
1401	2401	320	160	Notice of Appeal
1402	2402	320	160	Filing a brief in support of an appeal
1403	2403	280	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Petitions related to provisional applications
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)

SUBMITTED BY

Name (Print/Type) Matthew E. Hirsch Registration No. (Attorney/Agent) 47,651

Signature

Complete (if applicable)

Telephone 415-576-0200

Date

May 15, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is reBox 1450, Alexandria, VA 22313-1450, SF 1460458 v1
 If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On May 15, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Joy m. marshall

Attorney Docket No.: 023070-086121US

*Amend C
responses & address*
RECEIVED
MAY 22 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert Fischer, et al.

Application No.: 09/812,283

Filed: March 19, 2001

For: NUCLEIC ACIDS THAT
CONTROL SEED AND FRUIT
DEVELOPMENT IN PLANTS

Examiner: Ashwin D. Mehta

Art Unit: 1638

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit this Amendment in response to the Office Action mailed July 15, 2002 and the Office Communication mailed April 15, 2003. It is not clear from the April 15, 2003 communication whether the Amendment mailed January 14, 2003 was entered. Therefore, the present amendment contains the responses and amendments filed in the previously-filed Amendment as well as a new response to the drawing and obviousness-type double patenting rejections. Applicants do not believe that a petition to extend time is necessary. However, if the Examiner believes otherwise, he is authorized to charge any relevant fees that may be required to Deposit Account Number 20-1430. A paper copy of the sequence listing accompanies this Amendment.

Applicants request reconsideration of the application in view of this Amendment and the remarks that follow.